App. F. IX-4

1914

1914.

File No. 65-14

Previous References

Legis 27-10 (1-3)
20-11 (1-3)
39-12-1

Serial Nos. 1-7

Later References

1893

General and Revenue Secretariat.

A collection

Serial Nos. Seven

Transcripts **Part B** for December 1916

SUBJECT

Amended out after Mysore Tramways

Regulation II of 1906

1914

Previous Reference
Legis 27-10 (1-3)
" 20-11 (1-3)
" 39-12-1

File No 65-1914.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

PROCEEDINGS OF THE GENERAL AND REVENUE SECRETARIAT.

for December 1916.

Judicial and Legislative (Legislation).

"A" Collection. **Serial Nos** 1-7

Amendment of the Mysore Tramways Regulation II of 1906.

Table of contents

Serial No	Number and date of letter and contents	Page in A Proceeding
1.	From the Secy to Govt. P.W. Dept. No 46/C P S. dated 25-1-15. Recommends that the Residency be moved to get the Indian Tramways Act as applied to the C and M Station amended in certain ways.	
2.	From the Secy. P W Dept. No 533/ C.P.S. dated 20-7-15. Requests that early steps be taken for amending the Mysore Tramways Regulation and also to favour him with a suitable draft notification for adoption in the C and M Station, Bangalore.	
3.	To the Hon'ble the Resident in Mysore. No 3496 dated 19-11-15. Forwards a copy of the Bill to amend the Mysore Tramways Regulation 1906 with a statement of objects and reasons and states that it will be placed before the Legislative Council.	
4.	From the First Assistant to the Resident No 8503 dated 24-11-15. Informs that the Resident has no prima facie objection to the Bill being laid before the Legislative Council.	
5.	To the Secy. to Govt. P.W.Dept. No J 1254 dated 11-10-16.	

Forwards a draft of a section necessary to be added in the Indian Tramways Act before it is extended to to the C and M Station, Bamgalore.

To the Compiler, Mysore Gazette. No J 2301 dated 28-12-16.

Orders the publication of the Regulation as Regulation No X of 1916.

To the Secy. P.W.Dept. No J 2302 dated 28-12-16.

States that the Bill to amend the Tramways Regulation on which the proposed new Section is based was passed into law and forwards a revised draft of the Section to be added to the Indian Tramways Act,1886, embodying these corrections

T V R.

GENERAL AND REVENUE SECRETARIAT

(Leg.)

NOTES.

FILE HEADING.

Amendment to the Mys Tramways Regn, II of 1906

From

The Secretary to Govt P. W. Deptt

No. 46/C.P.S. Dated 25/1/15 Received 28/1/15

Library No.	Enclos. 1	Spare Copies.	Serial No. 1/
12392			

BRIEF ABSTRACT OF LETTER.

Recommends that the Residency be moved to get the Indian Tramways Act as applied to the C&S. Station amended in certain ways

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NOTES AND ORDERS.

No 533/C.P.S. dated 20th July 1915
From the secretary to Govt P W. Deptt

Requests that early steps be taken for amending the Mysore Tramways Regn and a to favour him with a suitable draft etc

General and Revenue Secretariat.

Legs File No. 65 of 1914

Serial No.

for adoption to the C & M Station

1) Subd.

The ~~Chief Engineer~~ P.W. Secretary in his letter No. 46/C.P.S. dated 25/1/15 in forwarding the report of the Special committee appointed to consider the question of the application of the Indian Tramways Act to the C & M. Station states that the Resident may be ~~moved~~ requested to move the Govt of Ind — to ~~extend~~ extend to the C&M Station the Indian Tramways Act 1886 with certain modification as noted there — . The Special Committee — their report state that the Mysore Tramways Regn may be kept unaltered as it is primarily intended to regulate such undertakings as the Shimoga Mangarese Tramway and Bangalore Kunigal Tramway and that so far as the Bangalore city is concerned action can be taken under sec: 176 of the Municipal Regn.

2) In the 2nd letter the P.W. Secretary asks that necessary steps be taken to amend the Mysore Tramways ~~Act~~ Regn — to enable him — to prepare draft of a notn for adoption the C&M Station of Bangalore

G. R. S. 12]

2392/1915

General and Revenue Secretariat.

Legis File No. 65 of 191 4

Serial No.

in this connection. As regards the Mysore Tramways Regn. orders are required as to whether the Regn. may be amended in the same way as the Ind. Act is proposed to be amended

As regards the draft note to be sent to the Residency, ~~the draft will have~~ as the Act has not yet been ~~introduced~~ extended to the C & M Station and has now to be done for the 1st time the note will have to enumerate all the alterations, verbal & required to be made in the Act before it can for such extension and as what these have to be is not known a proper draft cannot be put up. Such a note as for the form of such a note G.I. note No. 2514 I.B. Foreign Dept dated 21st Dec: 1910 may be cited

S.V.S. 9/8/15 N.N

by Secretary Legis

Subd.

As personally directed by the Asst. Secretary a draft Bill, with statement of Objects and reasons, for amending the Mysore Tramways Regn., 1906, is put up on the lines recommended by the Com

S.V.S. 9/8/15 N.N

NOTE—Contn. sheet.

GPB—20,000—30-4-15.

G. R. S. 12]

General and Revenue Secretariat.

Legs File No. 65 of 1914-15

Serial No.

4) Submitted for approval.

5) If the draft proposed is approved, the Secretary P.W.D will be informed that the Residency may be moved to introduce the Indian Tramways Act with a special provision as proposed in the draft. The question as to what provisions should not apply to Govt. should be considered in future.

Srinivasa 12/8 Legs

Asst. Secretary

6) Is our Tramways Regn based on the Act of 1886 or are there any important differences? Is there any later Act in Br India or any bill now?

H. V. Nanjundayya 13/8/15

Legs 14/8

Sec 14/8

Ex 14/8

7) Our Tramways Regulation is practically a copy of the British Indian Act without any differences. The British Act has not been amended and there is no proposal for

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

G. R. S. 12]

General and Revenue Secretariat.

Legs File No. 65 of 1914-15

Serial No.

amendment G. Srinivasa Iyer
Es
16/8

~~Dist. Members~~ &

8) The drafts are approved
may be circulated for Council

17/8/15 Ayyangar

~~Diwan~~ & Dewan Bahadur
28/8
09

8.62
19.8.15

9). I agree (

10) 21.8.15. R. Viswesvaraya

C. S. Ai. Dewan 23/8
Es 27/8

NOTE—Contn. sheet.

GPB—25,000—30-4-15.

For disposal at a meeting ~~per circulation~~.

No. C. 603/ One 2 books.

26.8.1915.

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.
(Clause ii of the Schedule)

Addition of a new Section as Section 49, to the Mysore Tramways Regulation, 1906.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

D. M. Narasinga Rao.

...25th...August.....1915.

Secretary to Government.

Extraordinary Member of Council.

15

3

First Member of Council.

Seen by the First Member of Council.

Second Member of Council.

28/8

GPB—1,000—19-7-13

Extract from the Proceedings of the ..... 362nd ..... Meeting of the Council of His Highness the Maharaja, held at ..... Bangalore ..... on the ..... 22nd September ..... 191 5.

6. SUBJECT. - (Clause ii of the Schedule).

Addition of a new section as section 49. to the Mysore Tramways Regulation. 1906.

OPINION OF THE COUNCIL.

(1) The draft Bill may be approved.

(Sd). M.VISVESVARAYA,
Dewan of Mysore.

"Extract"
D. M. Narasinga Rao
Secretary to Government,
General Department.

Final Note by the First Member of Council.

Subject:--

Addition of a new section as section 49 to the Mysore Tramways Regulation, 1906.

(1) The Mysore Tramways Regulation, 1906, was been enacted with reference to cases of construction by private individuals or companies. Therefore the portions of the Regulation that -- relate exclusively to such individuals or companies will be found unsuitable when any tramway is worked by Government.

(2) The special committee appointed to consider the question of the application of the Indian Tramways Act, 1886, to the -- Civil and Military Station recommend that in asking for the -- introduction of that Act into the Civil and Military Station, a section might be inserted therein reserving power to exempt -- Government from the operation of such of the sections of the -- British Indian Act on which our Regulation is based as may be found unsuitable.

E
incl: to flag G

(3) The Secretary, Public Works Department recommends that our Regulation may also be suitably amended. The draft Bill has been approved by the Council.

per under disposal
G

H. Manjunadayya

Dated. 29/9/15

First Member of Council.

Submitted to His Highness.

(17) I submit herewith a 'Final Note' by the First Member of Council regarding the amendment of the Mysore Tramways Regulation, 1906, reserving power to exempt Government from the operation of such of the sections of the Regulation as are unsuitable.

(15) 2. I solicit His Highness's approval to place the amending Bill before the Legislative Council.

M Visvesvaraya

25th Oct. 1915.

Record of Cases submitted for the Orders of His Highness the Maharaja

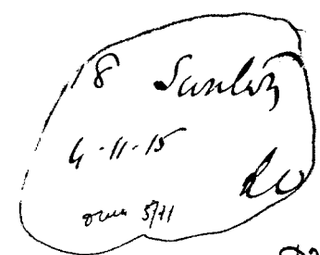
Subject.

Permission to place before the Legislative Council, a Bill to amend the Mysore Tramways Regulation, 1906, by the addition of a new section as section 49 thereto.

Order.

~~KRW~~

3/11/15



G. R. S. 121

General and Revenue Secretariat.

Legis File No. 65 of 1916-15

Serial No.

20) 16) Sutv to a draft D.O. to the Residency. S.V.S. 10/11/15 to be issued from the Dewan's Office.

(9) 21) Submitted for favourable approval & issue

Sec'y Dewan 22)

24 22 / 15.11.15

Dewan (5)11

18/11

20) The draft D.O. approved by the Dewan has been issued and placed on file (vide D.O. No. 3496 dated 16.11.15) C.E.R. 19.11.15.

Dewan 20/11

2 To The Honble Col. Sir Angel Dalby KBE Resident in Nyasaland Zomba

D.O. No. 3496 — 19-11-1915

Forwards copy of a bill to amend the Nyasa Tramway Regulation 1906 with a statement of objects and reasons and states that the bill will be placed before the Legislative Council

4 D.O. No. 8503 dated 24th Nov '15 From the P.A. Resident

Informs that the Resident has no prima facie Objection to the Bill being laid before the Legislative Council

NOTE—Contn. sheet.

GPB—25,000—22-3-15

G. R. S. 12] §185 ¶1436

General and Revenue Secretariat.

L r 12 of 15

Legis File No. 65 of 1914-15

Serial No.

24) Subd. The Bill will be included in the agenda for the next meeting of the Legis. Cl when the date for the same is fixed. In the meanwhile orders are required on the following points

(1) The Member of Council who will take charge of the Bill

(2) As to the draft note asked for by the P. W. Secretary in his letter No 533/C.P.S. dated 20th July 1915 for being sent to the Residency.

N. 2 in the file (Flag D)

~~26/11/15~~ As for the draft note reference may to the Residency may perhaps wait till the Bill is passed in the Legis. council.

YS 26/11

GB 26/11/15 MM

25) If approved, this will be placed against the name of the First Member in the agenda. Being only a formal amendment, it need not even be referred to the Select Committee

EB 29/11

First Member) all right.

1/12/15

Legis 6/12

EB 6/12

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G. R. S. 12]

General and Revenue Secretariat

Legis File No. 65 of 1914-15

Serial No.	
24)	Submitted with a Copy of the Mysore Tramways Regulation & the Volume of the Unrepealed Acts containing the British Indian Tramways Act of 1886, as there is to be a Select Committee meeting at 2 p.m. tomorrow on the Bills to amend the Mysore Tramways Regulation.
Flag W	

9/8/16
1.6.16
9/8

Es
7.6

* 8 29
1-6-16

Second Minister)

NOTE—Contn. sheet

G. R. S. 12]

General and Revenue Secretariat.

L. C. File No. 12

Serial No.

Subd

Leave to introduce the Bill was granted by the Legs. Cl. on the 28th January 1916. The Bill has to be published in the Gazette Draft note is put up.

29/1/16

Issue
29.1

No 281-L.C. dated 29/1/16
To the Compiler, Mysore Gazette
Orders the publication of the Bill

Subd The Bill was read in the Leg. Council on 29/4/16 and was referred to a Select Committee A date has to be fixed for the meeting of the select committee.

10/5/16 If approved, the 2d June may be fixed.

16/5

504.
11.5.16

Second Member

12 P.M. 12-5-16

Draft
15/5

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G. R. S. 12]

General and Revenue Secretariat.

L. C File No. 12 of 1918

Serial No.

Subr. with a draft accordingly

12/5/16 Jones

Es 18/5

Lr 426-8 dated 13/5/16
to the members of the S. C.
Invites them to the meeting of the S. C.
on the Bill to be held at 2 P.M. on
Friday the 2nd June 1916 in the 2nd Members'
Chambers, Bangalore.

Subr. The select Committee met
~~and the B~~ on the 2/6/16 and the Bill
was discussed
A draft report of the S.C.
and a letter to the members of the
committee as ordered, ~~by the~~ is
put up

7/6/16 In favour of approval
Es
9/6

942
10-6-16

Second Member)
I have versed the draft
report and blamed the approval of the other
Members & person (The draft letter is
therefore unnecessary). Please ~~to~~ so ahead
with the Bill as versed.

11/6/16

June 11/6

NOTE—Contn. sheet.

GPB—20,000—30-6-15

G. R. S. 12]

General and Revenue Secretariat. | L C File No. 12 of 1918

Serial No.	
	~~Lord~~ Same above
	Sd [illegible]
	Subs. with a draft note
	[illegible] 13/6
	Same Sd 13/6

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat.

Legis File No. 65 of 1914.

Serial No.

Asst Secretary's orders on the letter (remarks)
"Put up draft alone"
(Init) G.S. 18/9/16

21) Subd. with a draft forwarding a draft of a notification to be issued by the Govt of India as required by the Secretary to Govt P.W. Dept
S.V.S.
29/9/16

22) Draft of a notification is unnecessary as what is wanted is a sufficiently comprehensive clause to permit the construction of a tramway by the Mysore Govt in the C.M. States, and to exempt the Dunbar from the operation of certain Sections.

23) Draft based on the model of the Amending Regulation now before the Legislative Council is submitted for favourable approval

Bramwas
29/9 Lyle

30/9/16 173
30.9.16

First Member Dr

24) Draft approved by the first member.
Bos
3079
D. M. Narasimha Rao
27 Issue

Legisl.

NOTE—Contn. sheet.

G. R. S. 12]

General and Revenue Secretariat.

Legs File No. 65 of 1914.

Serial No.	
5	To The Secretary to Govt P.W Deptt Bangalore No D12 54 11-10-1916 Forwards draft of a section necessary to be added in the Indian Tramways Tramways Act 1886 before it is extended to the Cantt & Station Bangalore.
26	Subn. The Bill was finally passed by the Legs. Council on 5/12/16. Sanction of His Highness is required to promulgate it as law. A draft Subn note with a copy of the Bill as finally passed is put up. A collection of discussions in the Legs Council is also put up S.V.S. 16/12/16 Dft. 27) Draft Subn is in Note is Submitted for favour of approval. C Srinivasa Iyengar 16/12/16 Dewan

3501
18.12.16

NOTE—Contn. sheet.

Submitted to His Highness.

*Page 14 of office notes

26) The Bill to amend the Mysore Tramways Regulation, 1906, has passed* through the Legislative Council in due course. Its scope and purpose are fully explained in the statement of objects and reasons and in the final draft as passed A collection of papers showing the discussions in the Council during the several stages is submitted for reference.

27). The promulgation of the Bill as law may graciously be approved.

14 Dec 1916

Record of Cases submitted for the Order of His Highness the Maharaja

Subject.

Promulgation of the Bill to amend the Mysore Tramways Regulation, 1906, as law.

Order.

~~KRW~~

22/12/16

G. R. S. 12]

General and Revenue Secretariat.

Legis File No. 65 of 1914.

Serial No.	
32	Subd. with a draft order to the Compiler, Mysore Gazette As some changes have been made by the Legis. Council in the Bill as amended by the Select Committee may a copy of the Bill as now finally passed into Law be sent to the Secretary to Govt. P.W. Dept. in continuation of this Office letter No. J/1254 dated 11th Oct: 1916 for substituting this for the one sent with that letter S.V.S. 26/12/16
33	Jnr. Asst. Mr. Srinivasa Iyer. 27.12
6	To the Compiler, Mysore Gazette No J-2301 — 28th Dec: 1916 Notifies the Promulgation of the Bill to amend the Mysore Tramways Regulation 1906
7	To the Secy, P.W. Deptt. No J 2302 — 28th Dec: 1916 Forwards copy of the Bill

Flag T

No. 46/C.P.S.

18

MYSORE P. W. DEPARTMENT.

CENTRAL OFFICE.

Bangalore, 25th January 1915

From

DIARY No. 12392

~~KARPUR SHRINIVASRAO, Esq., B.Sc., L.C.E.,~~

Offg. *Secretary to the Government of Mysore,*

Public Works Department.

	10 -19
SECTION	Legis
FILE No.	65-14
SERIAL No.	1.

To

~~D. M. Narasinga Rao, Esq., B.A., B.L.,~~

Offg. Secretary to Government,

General and Revenue Departments.

Sir,

Referring to correspondence ending with this office letter No.39/C.P.S. dated the 25th January 1915, regarding the application of the Indian Tramways Act to the Civil and Military Station, I have the honour to forward herewith letter dated the 23rd December 1914 received from Mr.P.G.D'Souza, the President of the Special Committee appointed to consider this question.

2. The recommendation of the Committee that a clause as noted in the margin may be added to the Act is a very sound one.

> "Notwithstanding anything contained in this Act it shall be lawful for Government to authorise the construction of electric tramways by any agency they deem fit and by means of a special order published in the official Gazette to confer and impose on such agency all or any of the powers and liabilities under this act, as may be found necessary from time to time and the provisions of this act shall thereupon apply to such agency subject to such modifications as may be provided in the order".

It is now necessary to request the Hon'ble the Resident to move the Government of India to amend the Indian Tramways Act accordingly

I have the honour to be,
Sir,
Your most obedient servant,

Secretary to Government,
P.W.Department.

GPB—3,000—30-12-14

191

MYSORE P. W. DEPARTMENT.

No.

From

To

Dated Bangalore, *191*

Despatched

Enclosure No.

SUBJECT.

Letter dated the 23rd December 1914 from Messrs. P.G.D'Souza, G.Srinivasa Iyer, T.Lakshminarasimha Rao, and S.D.Seshadri Iyengar to the Secretary to Government, Public Works Department, Bangalore

---

We have the honour to submit this our Report on the questions referred to us by you in your No. 633-6/C.P.S. dated the 27th October 1914.

First, with regard to the question of drawing up a Draft agreement to be concluded with the authorities of the Civil and Military Station, Bangalore, the Special Committee could not draw up a full draft in the absence of specific details about the terms agreed upon between the Durbar and the Station Authorities. If complete and exhaustive details had been furnished, they would have supplied the basis on which a draft could have been prepared. But to avoid further difficulties, the Committee have approved of the appended draft (annexure 1 to this letter) on the materials available. Any further terms that may be settled between the parties may easily be included in it with such modifications as may be deemed necessary to adopt.

On the second point referred to in the above order, namely, of suggesting a <u>via media</u> for the application of the Mysore Tramways Regulation and the Indian Tramways Act, 1888, in the Bangalore City and the Civil and Military Station, Bangalore, respectively, the Committee have resolved that there is no immediate necessity for changing the Mysore Regulation so far as the City is concerned. Section 176 of the Municipal Regulation provides for Government constructing any work or works of a permanent nature which, in their opinion, is or are necessary or desirable for the health, safety or convenience of the inhabitants whether within any Municipality or without it wholly or in part, and retaining the manage[illegible] and maintenance of any such work. This may not be found sufficient when the Tramway is actually constructed and commenced to be worked. But it may be found very easy to amend the Regulation for achieving the required object in the Legislative Departme[illegible]

The Mysore Tramways Regulation may be kept unaltered as it is primarily intended to regulate such undertakings as the Shimoga Manganese Tramway and Bangalore Kunigal Tramway where the promoters are private individuals.

With regard to the Civil and Military Station, the Committee consider it necessary that the British Indian Act with the modifications suggested by them should be introduced. To lay down a tramway in a public street or road without statutory authority is an indictable nuisance, notwithstanding that the consent of the local authority of the District in which the Tramway is constructed has been obtained and the tramway might be for the convenience of the public generally. (R.V.Train (1862) 2 B & S 640).

The powers needed for running a tramway involving as they do exclusive privileges over public roads can only be granted by statute or delegated statutory authority. Accordingly the introduction of an enactment on the lines of the Indian Tramways Act into the Civil and Military Station is necessary before the Durbar can undertake to construct an Electric Tramway in any part of the Civil and Military Station. But at the same time, considering that the Indian Tramway Act has been enacted chiefly with reference to cases of construction by private individuals or companies, the portions of the Act that relate exclusively to such individuals or companies will be found unsuitable when the whole scheme is worked by the Durbar. Accordingly power must be reserved in the Act to exempt the Durbar from the operation of such Sections as may be found unsuitable by agreement between the Residency and the Durbar. The Committee therefore suggest that a section as noted below has to be added before the British Act is introduced.

"Notwithstanding anything contained in this Act it shall be lawful for Government to authorize the construction of electric tramways by any agency they deem fit and by means of a special order published in the official Gazette to confer and impose on such agency all or any of the powers and liabilities under this

act, as may be found necessary from time to time and the provisions of this act shall thereupon apply to such agency subject to such modifications as may be provided in the order.

The Committee think that it is sufficient if the following sections with suitable modifications be alone made applicable to the tram-line:--

Sections 14, 15, 16, 28, 29, 30, 31, 32, 34, 38, 41, 42, and 4

Sections 14, 15, 16, 28-32, and 42, relate to the use of the tramway, levy of fares, carriage of offensive goods, penalties for offences relating to the tramway and responsibilities for injuries.

As regards Section 14, the Committee are of opinion that wherever T rails are used, the Electrical Department should have exclusive possession of the portions of the road where the T rails have been laid.

The application of Sections 42, 43, 44 and 45 presents considerable difficulties but these sections are necessary for the efficient protection of the public. It must be made clear that the liability in such cases should rest with the Electrical Department and before they are sued due notice should be given. It is doubtful whether these matters could be removed from the jurisdiction of the local courts.

"True Copy"

K. P. Subrahmanya Ayr

Assistant Secretary,

Public Works Secretariat.

No. 3331 C.R.S.

~~MYSORE P. W. DEPARTMENT~~

CENTRAL OFFICE.

Bangalore, ~~14th~~ 20th *July* *1915.*

DIARY No. 1185

From

~~KARPUR SHRINIVASRAO, Esq., B.Sc., M.I.E.,~~

Secretary to the Government of Mysore,

Public Works Department.

Camp ~~Gauvery Reservoi~~

To

~~D. M. Narasinga Row, Esq: B.A., B.L.,~~

The Secy. to the Govt of His Highness the Maharaja of Mysore, Genl. & ~~Rev~~. Departments, Bangalore.

~~Sir,~~

I have the honour to forward herewith an extract of paragraph 4 from a note dated the 14th June 1915, from the Private Secretary to the Dewan of Mysore, in re. the amendment of the Tramways Regulations in Mysore, and to request you will be so good as to take the necessary steps for amending the Mysore Tramways Act and to favour me with a suitable draft of a notification for adoption in the Civil and Military Station of Bangalore in connection with the proposed opening and working of a Tramway by the Durbar within the limits of the Civil and Military Station.

I have the honor to be,

S i r,

Your most obedient servant,

Karpur Srinivasa

Secretary to Government,

Public Works Department.

GPB—3,000—30-12-14

1915-16.

MYSORE P. W. DEPARTMENT.

No. 533/CP.S.

From

The Secretary to Government
Public Works Department,
Bangalore.

To

The Secretary to Government
General Department,
Bangalore.

Dated Bangalore, 20th July 1915.

Despatched 20th July 1915.

Enclosure No. One

SUBJECT.

Issue of Amendments of the Tramways Regulations in Mysore.

Extract from a note dated the 14th June 1915 from the Private Secretary to the Dewan of Mysore to the Secretary to Government, Public Works Department, Bangalore.

(4) Paragraph 4

The Tramways Act is not at present in force in the C & M St[illegible]. As the Durbar have also to amend the Regulation or introduce a new one, the lines on which legislation is to proceed may be settled in consultation with the General and Revenue - - Secretariat, and a suitable draft for adoption in the C & M - - Station also suggested. The Residency will take action on the draft without delay as the Governor-General in Council has power to introduce the Act by issuing a Notification. This need not however delay proceeding with the completion of the agreement.

"True Extract"

[signature]

Assistant Secretary,

T.B.N. Public Works Secretariat.

G. R. S. 26]

SUBJECT.....

.....

.....

*Diary No. of letter replied to*_____

Section Legislative
File No. 65-1
Serial No. 3

General and Revenue Secretariat

Mysore Assembly Secretariat
Do No. 3496 dated 16.11.15
Endst

the *191*

Date of issue 19.11.15

Signed by Dewan

To
My dear Sir,

I enclose herewith copy of a Bill to amend the Mysore Tramways Regulation, 1906 (413) The Statement of Objects and reasons which accompanies the Bill explains clearly the necessity for the amendment

The Bill will be placed

over.

before the Mysore Legislative
council in due course

Yours sincerely

C. 6 11 15.

Dewan

Dewan
15111 £3 1/1

To

The Hon'ble Col
Sir Hugh Daly, K.C.I.E., C.S.I.
Resident in Mysore,
Bangalore

Bill to amend the Mysore Tramways Regulation

Whereas it is expedient to amend the ~~Law~~ Mysore Tramways Regn., 1906; His Highness the Maharaja is pleased to enact as follows

Addition of a new section after section 48.

After section 48 of the Regulation the following new section shall be added as section 49

"49 Notwithstanding anything contained in this ~~Regulation~~, it shall be lawful for Government to authorise the construction of electric tramways by any agency they deem fit and by means of a special order published in the Official Gazette to confer and impose on such agency all or any of the powers and liabilities ~~as~~ under this ~~Act~~ Regn. which may be found necessary from time to time and the provisions of this Regn. shall thereupon apply to such agency subject to such modifications as may be provided in the order

8 1/2

Es 12/8/15

Statement of objects and reasons

The Mysore Tramways Regulation, 1906, has been enacted chiefly with reference to case of construction by private individuals or companies. Therefore the portions of the Regulation that relate exclusively to such individuals or companies will be found unsuitable when any tramway is worked by the Government ~~or by any agency specially appointed by Government for the purpose~~ as in the case of the contemplated electric tramway in the Bangalore city. Accordingly power has to be reserved in the Regulat to exempt the Government from the operation of such sections as may be found unsuitable. This is proposed to be done by the addition of this amending Bill.

Public Offices Buildings
Bangalore

Dated 7th December 1915

I

Sir M. Visvesvaraya B.A., L.C.E., M. Inst. C.E., K.C.I.E.,

Dewan of Mysore.

SIR,

I beg to request your sanction in writing under Sect
of 1907 for introducing a bill to amend the Mysore Tramways
Regulation, 1906,

at a meeting of the Mysore Legislative Council.

I have the honor to be,
Sir,
Your most obedient servant,

H. Maqsumdar

Member.

7.12.15

OFFICE OF THE DEWAN OF MYSORE.

Dated.....December.....1906

Rajamantrapravina

Mr. .....Varyumdayya, M.A., M.L., C.I.E, Member of the Mysore Legislative Council, is hereby permitted to introduce a bill...to amend the Mysore Tramways Regulation, 1906,

.....

.....

.....at a meeting of the said Council, subject to the rules for the time being in force under the Mysore Legislative Council Regulation, No. I of 1907.

M. Visvesvaraya

Dewan of Mysore.

14.12.06

GS
9.12.06

G.R.S. 26

File No.

Serial No.

Diary No. of letter replied to

General and Revenue Secretariat

, *the* 19

Date of iss 29/1/16

Signed by Mr. G. Sreenivasa Iyer

Notification

~~No.~~ No 281

L.C

~~To~~

Under Rule 31 of the rules for the conduct of business of the Mysore Legislative Council, the following Bill to amend the Mysore Tramways Regulation 1906, is published for general information with a statement of objects and reasons

By order

Secretary, Mysore Legislative Council

~~SUBJECT.~~ [Here print the Bill with ~~cover~~ Statement of objects & reasons

to The Compiler, Mysore Gazette, for publication in Part III of the Gazette in English and Kannada and for forwarding 100 copies in English and 25 in Kannada to this office. Proof should be sent before the evening of the Monday the 31st inst. for approval before publication

29

NOTIFICATION.

No. 281—L. C., dated 29th January 1916.

Under Rule 31 of the rules for the conduct of business of the Mysore Legislative Council, the following Bill to amend the Mysore Tramways Regulation, 1906, is published for general information with a statement of objects and reasons:—

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Bill to amend the Mysore Tramways Regulation, 1906.

Whereas it is expedient to amend the Mysore Tramways Regulation, 1906; His Highness the Maharaja is pleased to enact as follows:—

Addition of a new Section after Section 48.

After Section 48 of the Regulation, the following new Section shall be added as Section 49.

Special provision in regard to tramways constructed under the authority of Government.

"49. Notwithstanding anything contained in this Regulation, it shall be lawful for Government to authorise the construction of electric tramways by any agency they deem fit and by means of a special order published in the official Gazette to confer and impose on such agency all or any of the powers and liabilities under this Regulation, which may be found necessary from time to time and the provisions of this Regulation shall thereupon apply to such agency subject to such modifications as may be provided in the order."

STATEMENT OF OBJECTS AND REASONS.

The Mysore Tramways Regulation, 1906, has been enacted chiefly with reference to cases of construction by private individuals or companies. Therefore, the portions of the Regulation that relate exclusively to such individuals or companies will be found unsuitable when any tramway is worked by Government. Accordingly power has to be reserved in the Regulation to exempt Government from the operation of such sections as may be found unsuitable. This is proposed to be done by this amending Bill.

G. R. S. 26]

1315

Diary No. of letter replied to

General and Revenue Secretariat

, the *191*

Date of issue 13/5/16

Signed by M. C. Srinivasachar

Office of the Secretary
Mysore Legis Council

File No.

Serial No.

Office Memorandum
L.C. No. 426-8

To

1) Rajasabhabhusana Dewan Bahadur
K. P. Puttanna Chetty Esqr

2) C. S. Balasundaram Iyer Esqr B.A

3) M. Venkatakrishnaiya Esqr
Member Mysore Legis. Council

A meeting of the Select
Committee appointed to
consider the Bill to amend
the Mysore Tramways Regn, 1906
will be held in the Chamber
of the Second Member of
Council in the Public Offices

over.

SUBJECT.

Buildings, Bangalore at 2 P.M on Friday the 2nd June 1916

By order

Secretary, Mysore Legis. Council

Copy to the Personal Assistant to the Second Member of Council for information

Copy to the Cash Sect

List of enclosures,

Copied by

Examined by

GPB—25,000—4-3-13

G. R. S. 26] 1316

File No. 12-1

Serial No

Diary No. of letter replied to .....

Notification

No. 481

L.C.

General and Revenue Secretariat

( )

, *the* *191*

To

~~The Comptroller~~

Under Rule 40 of the Rule for the conduct of business of the Mysore Legislative Council the following report of the ~~Sele~~ Select Committee appointed to consider the Mysore Tramways Regulation, 1906, ~~together~~ ~~the~~ is published for general information together with the Bill as amended by them

By order

Date of issue 13/6/16

Signed by M. C. Sreenivasa Iyengar

Eg 13/6

MK 13/6

SUBJECT.

Secretary, Mysore Legislative Council

[Here print the accompanying report of S. C. and the Bill as amended by them]

2d

To the Comptroller Mysore Gazette for publication in Part III of the Gazette in English and in Kannada and to supply 100 spare copies in English and 25 in Kannada to this office

4/11/13/6

~~Eg~~

Report of the Select Committee on the Bill to amend the Mysore Tramways Regulation, 1906.

We, the Members of the Select Committee appointed to consider the Bill to amend the Mysore Tramways Regulation 1906, have the honour to submit the following report to the Council, together with the Bill as amended by us.

2. We have examined the Bill carefully and consider that the clause as originally drafted, is not sufficiently full, definite or precise. We therefore recommend the substitution in its place of the following clause, which may appropriately come before, instead of after. section 48.

3. Paragraph (1) of the clause is based upon section 176 of the Mysore Municipal Regulation, 1906.

4. Paragraph (2) is intended to provide expressly that only such provisions of the existing Regulation will apply to the case of tramways worked by Govt. as may be considered suitable and therefore specially extended by Govt. Among provisions which in our opinion may be so applied, subject to suitable modifications are sections 14 to 16, 28 to 32, 34, 38, 41, 42, and 44. Section 48 will of course apply as it comes after the new clause.

5. As the provisions of the Indian Act corresponding to our Regulation have been construed as not applicable to tramways worked by electric power, words have been added to the new clause with a view to its applicability to tramways worked by electrical power also.

6. The Bill as amended by us may be published.

M Ramaswamy

C S Balasundaram

M Venkata Krishna

Bill as revised by Select Committee

Addition of a new section after section 47.

"After section 47 of the Regulation the following new section shall be inserted as section 47 A:

Special provision in regard to tramways constructed by Govt.

47 A. (1) Notwithstanding anything contained in this Regulation, it shall be lawful for the Govt. at any time —

(a) to construct a tramway within any area, to be worked by steam or other mechanical power or by electrical power;

(b) to retain the management and maintenance of any such tramway, or to entrust the same in whole or in part to any agency it thinks fit, or to resume the same from such agency;

(c) to prescribe, by notification in the official gazette, rules having the force of law, for the proper management and maintenance of any such tramway and for the regulation of all matters and things connected therewith, and to affix a penalty not exceeding five hundred rupees for the infringement of any such rule.

(2) The provisions of the preceding sections of this Regulation shall not apply to any such tramway as is mentioned in sub section (1) except to the extent, if any, to which the same may be applied by Govt. from time to time, by notification published in the official gazette, and subject to such modifications, if any, as may be directed in such notification."

M Chandrasekhar
C Balasundaram
M Venkata Krishnaya
K Bhattanaphett

NOTIFICATION.

No. 481—L. C., dated 13th June 1916.

Under Rule 40 of the Rules for the conduct of business of the Mysore Legislative Council the following report of the Select Committee appointed to consider the Bill to amend the Mysore Tramways Regulation, 1906, is published for general information together with the Bill as amended by them.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

Report of the Select Committee on the Bill to amend the Mysore Tramways Regulation, 1906.

We, the Members of the Select Committee appointed to consider the Bill to amend the Mysore Tramways Regulation, 1906, have the honor to submit the following report to the Council, together with the bill as amended by us

2. We have examined the Bill carefully and consider that the clause proposed, as originally drafted, is not sufficiently full, definite or precise. We therefore recommend the substitution in its place of the new clause appended to our report, which will appropriately come before, instead of after, Section 48.

3. Paragraph (1) of the new clause is drafted on the lines of Section 176 of the Mysore Municipal Regulation, 1906.

4. Paragraph (2) is intended to provide expressly that only such provisions of the existing Regulation will apply to the case of tramways worked by Government as may be considered suitable and therefore specially extended by Government. Among provisions which in our opinion may be so applied, subject to suitable modifications, are Sections 14 to 16, 28 to 32, 34, 38, 41, 42 and 44. Section 48 will of course apply as it comes *after* the new clause.

5. As the provisions of the Indian Act corresponding to our Regulation have been construed as not applicable to tramways worked by electric power, words have been added to the new clause with a view to its applicability to tramways worked by electrical power also.

6. The Bill as amended by us may be published.

K. S. CHANDRASEKHARA AIYAR.
C. S. BALASUNDARAM IYER.
K. P. PUTTANNA CHETTY.
M. VENKATAKRISHNAIYA.

The Bill to amend the Mysore Tramways Regulation, 1906.

As amended by the Select Committee.

[The portions in square brackets are those omitted and those in italics newly added by the Select Committee.]

Whereas it is expedient to amend the Mysore Tramways Regulation, 1906; His Highness the Maharaja is pleased to enact as follows:—

[Addition of a new section after Section 48.]

[After Section 48 of the Regulation, the following new section shall be added as Section 49.

Special provision in regard to tramways constructed under the authority of Government.

"49. Notwithstanding anything contained in this Regulation, it shall be lawful for Government to authorise the construction of electric tramways by any agency they deem fit and by means of a special order published in the official Gazette to confer and impose on such agency all or any of the powers and liabilities under this Regulation, which may be found necessary from time to time and the provisions of this Regulations shall thereupon apply to such agency subject to such modifications as may be provided in the order."]

Addition of a new section after Section 47.

"*After Section 47 of the Regulation the following new section shall be inserted as Section 47A:*

Special provision in regard to tramways constructed by Government.

47 A. (1) Notwithstanding anything contained in this Regulation, it shall be lawful for the Government at any time—

(a) to construct a tramway within any area, to be worked by steam or other mechanical power or by electrical power;

(b) to retain the management and maintenance of any such tramway, or to entrust the same in whole or in part to any agency it thinks fit, or to resume the same from such agency;

(c) to prescribe, by notification in the official Gazette, rules having the force of law, for the proper management and maintenance of any such tramway and for the regulation of all matters and things connected therewith, and to affix a penalty not exceeding five hundred rupees for the infringement of any such rule.

(2) The provisions of the preceding sections of this Regulation shall not apply to any such tramway as is mentioned in sub-section (1) except to the extent, if any, to which the same may be applied by Government from time to time, by notification published in the official Gazette, and subject to such modifications, if any, as may be directed in such notification."

THE MYSORE RESIDENCY,

D. O. No. 8503. Bangalore, 24th November 1915

From the Hon'ble L. Graeme
To My dear Dewan Saheb,

I am desired to acknowledge the receipt of your d.o. letter No. 3496, dated the 16th November 1915, forwarding a copy of a Bill to amend the Mysore Tramways Regulation, 1906, and, in reply, to say that the Resident sees no prima facie objection to the Bill being laid before the Legislative Council.

Yours sincerely
L. Graeme

Sir M. Visvesvaraya, K. C. I. E.,
Dewan of Mysore.

+ d — draft

32

G. R. S. 26] 2/10

Legis W.G. File No. 65-14 Serial No. 5

Diary No. of letter replied to .....

No. J 1254 Sm-one 8/11

General and Revenue Secretariat
( )
, *the* 19

To The Secretary to Govt
P. W. Deptt, Bangalore

Date of issue 11th October 1916

Signed by Mr. G. Srinivasam Ayya

Sir

As requested by you in your letter No 533/C.P.S dated 20th July 1915 I am directed to forward herewith a draft of a Secty ~~notification to be~~ necessary to be added to the Indian Tramways Act IX of 1886 ~~issued by the Govt of India~~ for before it is extending to the C & M Stn Bangalore. ~~The Indian~~ Tramways Act, 1886, with the amendments proposed to be

over.

SUBJECT.

made on our Regulations,
~~If~~ of 1906

I have &

For Secretary to Gov. -

30/9

G. S

29.9.06

Special provision in regard to tramways constructed by ~~Government~~ the Resident of Mysore

~~47~~ *A. (1) Notwithstanding anything contained in this ~~Regulation~~ Act, it shall be lawful for the ~~Government at any time~~ Resident or any person authorised by him in that behalf*—

(a) to construct a tramway within any area, to be worked by steam or other mechanical power or by electrical power;

(b) to retain the management and maintenance of any such tramway, or to entrust the same in whole or in part to any agency it thinks fit, or to resume the same from such agency;

(c) to prescribe, by notification in the official Gazette, rules having the force of law, for the proper management and maintenance of any such tramway and for the regulation of all matters and things connected therewith, and to affix a penalty not exceeding five hundred rupees for the infringement of any such rule.

(2) The provisions of the preceding sections of this ~~Regulation~~ Act shall not apply to any such tramway as is mentioned in sub-section (1) except to the extent, if any, to which the same may be applied by ~~Government~~ Resident from time to time, by notification published in the official Gazette, and subject to such modifications, if any, as may be directed in such notification."

Legis File No. 64 2

Serial No. 4

Diary No. of letter replied to_____

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

READ—

_____

_____

_____

_____

_____

, the 191 .

Date of issue 28/12/46

Signed by M Srinivasa

To the Compiler, Mysore Laws

May this be

i printed?

ii treated as a standing order?

iii published in the Gazette English part?

iv translated?

v placed at the disposal of the Press?

vi published in the Gazette Kannada part?

ORDER THEREON.—No. J 2301/8 Encl 28-12-46

Ordered that the [illegible] accompanying Regulation (A Regulation to amend the Mysore Dramwars

Regulation, 1908, which received the assent of His Highness the Maharaja on the 22nd day of December 1916 be published in the Mysore Gazette, for general information, as Regulation No X of 1916

By
V. V
for Secretary to Govt
E. D

To

The Compiler, Mysore Gazette, for publication in Part-III of the Gazette in English and in Kannada and for supplying 100 spare copies in English and 50 in Kannada to this Office and 100 a similar no to the Curator Govt Central Book Depot, Bangalore Proof should be sent to this Office for approval before publication

REGULATION No. X OF 1916.

(Received the assent of His Highness the Maharaja on the 22nd day of December 1916.)

The Regulation to amend the Mysore Tramways Regulation, 1906.

Whereas it is expedient to amend the Mysore Tramways Regulation, 1906; His Highness the Maharaja is pleased to enact as follows:—

Addition of a new section after Section 47.

"After Section 47 of the Regulation the following new section shall be inserted as Section 47A:

Special provision in regard to tramways constructed by Government.

47A. (1) Notwithstanding anything contained in this Regulation, it shall be lawful for the Government at any time—

(*a*) to construct a tramway within any area to be worked by steam or other mechanical or electrical power;

(*b*) to retain the management and maintenance of any such tramway, or to entrust the same in whole or in part to any agency it thinks fit, or to resume the same from such agency;

(*c*) to prescribe, by notification in the official Gazette, rules having the force of law, for the proper management and maintenance of any such tramway and for the regulation of all matters and things connected therewith, and to affix a penalty not exceeding two hundred rupees for the infringement of any such rule.

(2) The provisions of the preceding sections of this Regulation shall not apply to any such tramway as is mentioned in sub-section (1) except to the extent, if any, to which the same may be applied by Government from time to time, by notification published in the official Gazette, and subject to such modifications, if any, as may be directed in such notification."

M. VISVESVARAYA,

2 drafts

26

G. R. S. 26] 27/12

Diary No. of letter replied to .....

Legr File No. 65—

Serial No. 7

No. J 2302 Secl

8/26-12-16

General and Revenue Secretariat

( )

, the 191

To

The Secretary to

Govt, P W Dept,

Bangalore

Date of issue 28/12/16

Signed by M G Srinivasa

Sir

In continuation of this office No J 1252 dated Legr 65-A

11th Oct 916 forwarding [illegible]

a draft copy of rules the section

necessary to be added

to the Indian Tramways

Act 1886 before it is

extended to the C & M Station

Bangalore, I am directed

over.

Hagt

SUBJECT.

to state that the Bill to
amend the Mysore Tramways
Regn, 1906, on which the
proposed new section
is based was passed into
law as Regn No X of 1916
on the 22nd day of Sept 1916
with 2 corrections.
I am therefore further
to forward herewith a revised draft
of the desd sec: to be
added to the Indian
Tramways Act, 1886, embodying
these corrections and to
request you to be so good
as to substitute this for the
one sent with this office
letter No J 1254 Legis 65-14-5
dated 11th Oct 1916

I have &c

for Secretary to Govt

List of enclosu

Copied by

Examined by

-10-10-14